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COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

PLANNING DEPARTMENT HEARING

*Promoting the wise use of land
Helping build great communities*

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| MEETING DATE March 4, 2005 | CONTACT/PHONE Inge Lundegaard 805-781-5136 | APPLICANT Switzer, Mark & Cindy | FILE NO. COAL map#04-0426 file# SUB2004-00070 |
| SUBJECT Request by Mark and Cindy Switzer for a Lot Line Adjustment to adjust the lot lines between two (2) parcels of approximately 3.3 and 1.2 gross acres each. The adjustment will result in two (2) parcels of approximately 2.6 and 1.9 gross acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Commercial Service land use category and is located at 3990 Ruth Way in the community of Templeton. The site is in the Salinas River planning area. | | | |
| RECOMMENDED ACTION Approve Lot Line Adjustment COAL 04-0426 based on the findings listed in Exhibit A and the conditions listed in Exhibit B | | | |
| ENVIRONMENTAL DETERMINATION A Class 5 Categorical Exemption (ED# 04-220) was issued on November 17, 2004 | | | |
| LAND USE CATEGORY Commercial Service | COMBINING DESIGNATION None | ASSESSOR PARCEL NUMBER 040-151-060 & 040-151-063 | SUPERVISOR DISTRICT(S) 1 |
| PLANNING AREA STANDARDS: None applicable | | | |
| LAND USE ORDINANCE STANDARDS: Section 22.22.060 of the Land Use Ordinance | | | |
| EXISTING USES: Existing Parcel 2 – Undeveloped, Existing Parcel 3 - Commercial building under construction | | | |
| SURROUNDING LAND USE CATEGORIES AND USES: North: Commercial Service/Commercial & Undeveloped East: Agricultural/Grazing & Salinas River South: Commercial Retail/Undeveloped-Dry Farm West: Commercial Service/Commercial | | | |
| <small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small> | | | |

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| OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Templeton Advisory Group, Public Works, CDF, Templeton Community Services District, APCD, Parks Division | |
| TOPOGRAPHY: Level to gently rolling | VEGETATION: Grasses, and scattered brush |
| PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: CDF | ACCEPTANCE DATE: September 16, 2004 |

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between two (2) legal parcels as follows:

| EXISTING LOT SIZES (ACRES) | ADJUSTED PARCEL SIZES (ACRES) |
|----------------------------|-------------------------------|
| 3.3 approx. | 2.6 approx. |
| 1.2 approx. | 1.9 approx. |

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The proposed adjustment will result in the reconfiguration of the two (2) parcels to more nearly equalize the parcels. The proposed parcel two (2) will increase in size and extend easterly to the Railroad.

SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. the parcels as adjusted are consistent with the minimum parcel sizes as set forth in the General Plan, staff has concluded that the adjustment is consistent with both state and local law .

LEGAL LOT STATUS:

The two (2) lots were legally created a recorded map at a time when that was a legal method of creating lots.

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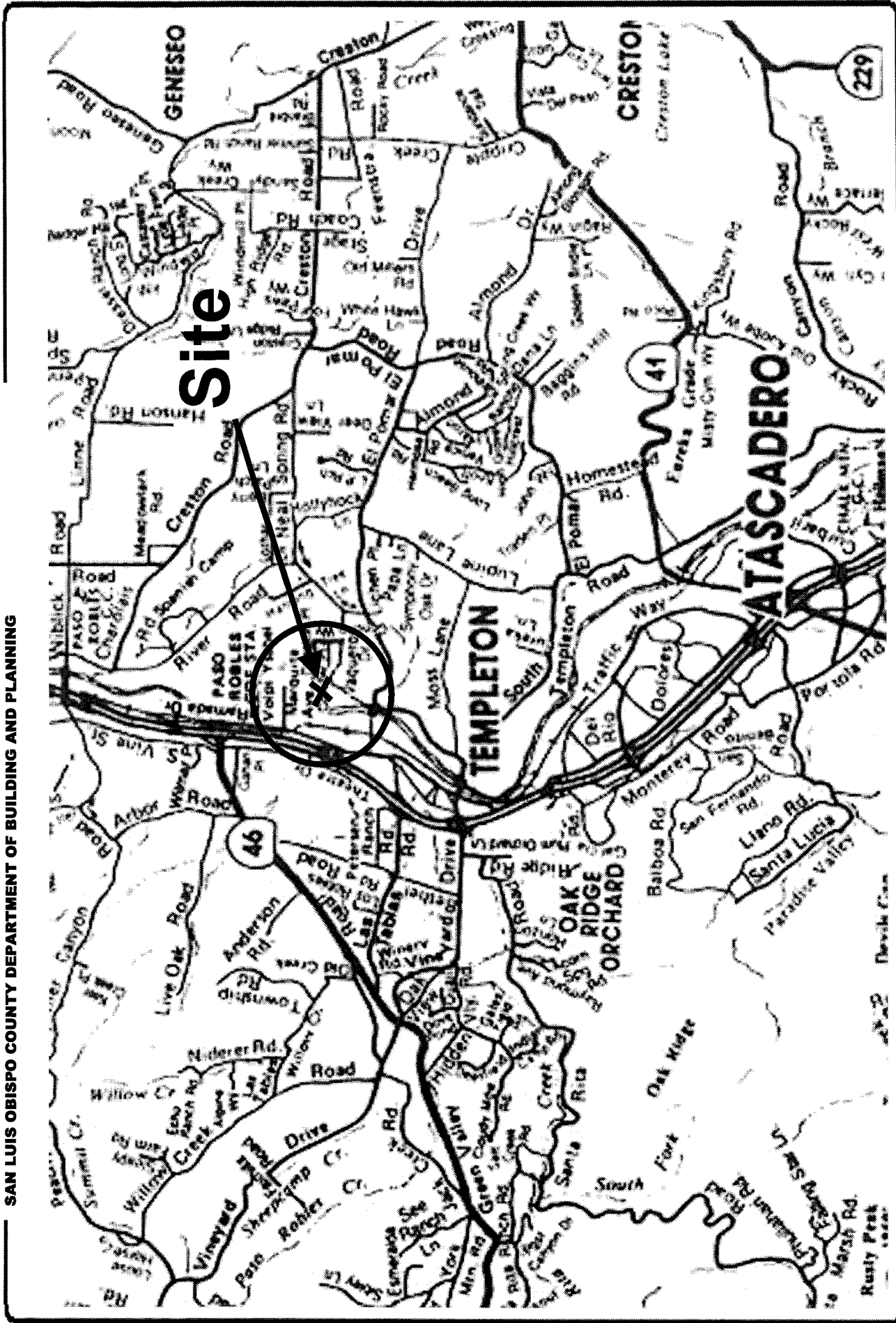
FINDINGS - EXHIBIT A

- A. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because the resulting parcel configuration is better than prior to approval of lot line adjustment. The proposed adjustment will result in the reconfiguration of the two (2) parcels to more nearly equalize the parcels. The proposed parcel two (2) will increase in size and extend easterly to the Railroad.
- B. The proposal will have no adverse effect on adjoining properties, roadways, public improvements, or utilities.
- C. Compliance with the attached conditions will bring the proposed adjustment into conformance with the Subdivision Map Act and Section 21.02.030 of the Real Property Division Ordinance.
- D. The project qualifies for a Categorical Exemption (Class 5) pursuant to CEQA Guidelines Section 15303 because with an average slope of less than 20% that does not result in the creation of any new parcel.

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance. If a map is filed, it shall show:
 - a. All public utility easements.
 - b. All approved street names.
2. Any private easements described in the title report must be shown on the map, with recording data.
3. When the map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
4. All conditions of approval herein specified are to be complied with prior to the recordation of the map or certificates of compliance, which effectuate the adjustment. Recordation of a map is at the option of the applicant. However, if a map is not filed, recordation of a certificate of compliance is mandatory.
5. The map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
6. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
8. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
9. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action

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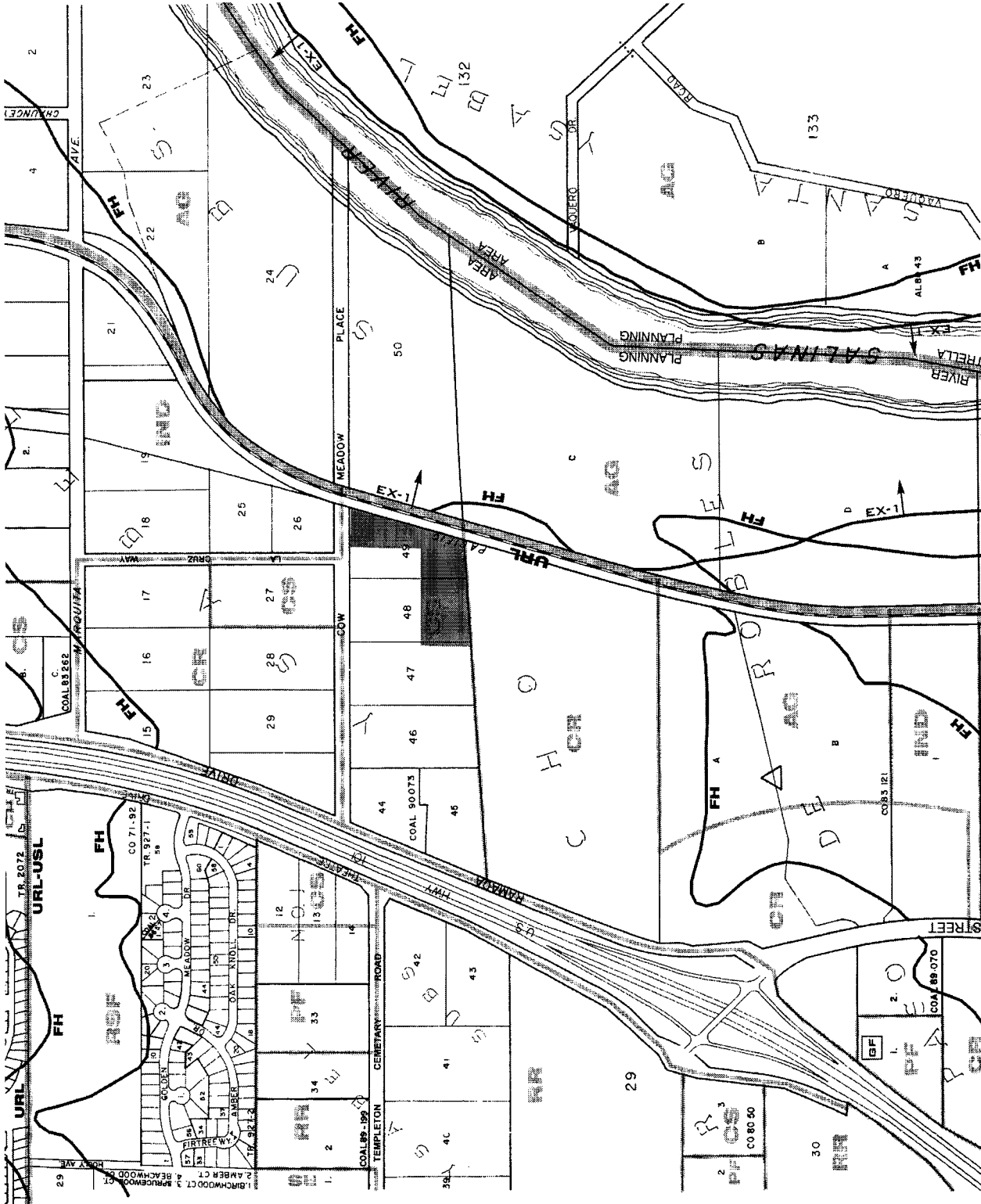
PROJECT

Lot Line Adjustment
Switzer SUB2004-00070

EXHIBIT

Vicinity Map





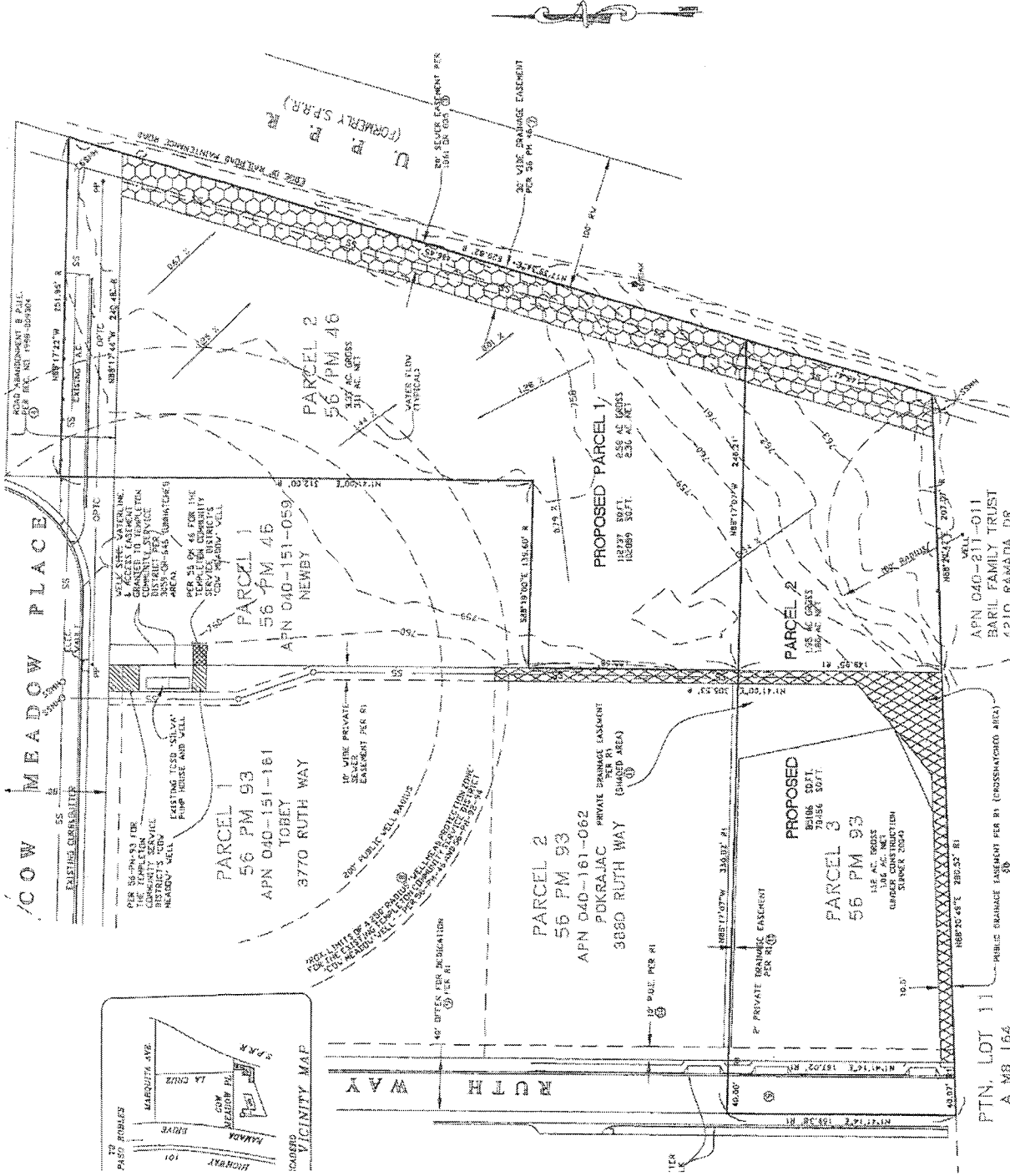
Lot Line Adjustment
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Land Use Category Map-CS

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SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

Lot Line Adjustment
Switzer SUB2004-00070



EXHIBIT

Site Plan

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Lot Line Adjustment
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EXHIBIT

Aerial Photo